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Attorneys for Defendants Health Plan Intermediaries Holdings, LLC,  
d/b/a Health Insurance Innovations, Health Insurance Innovations, Inc.,  
and The National Congress of Employers

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION**

CHARLES M. BUTLER, III AND  
CHOLE BUTLER,

Plaintiffs,

v.

UNIFIED LIFE INSURANCE  
COMPANY, HEALTH PLANS  
INTERMEDIARIES HOLDINGS,  
LLC, D/B/A HEALTH INSURANCE  
INNOVATIONS, HEALTH  
INSURANCE INNOVATIONS, INC.,  
ALLIED NATIONAL, INC.,  
NATIONAL BROKERS OF  
AMERICA, INC., THE NATIONAL  
CONGRESS OF EMPLOYERS, INC.,  
AND DOES 1-10,

Defendants.

Cause No.: CV 17-50-SPW-TJC

**HEALTH PLAN  
INTERMEDIARIES HOLDINGS,  
LLC d/b/a HEALTH INSURANCE  
INNOVATIONS, HEALTH  
INSURANCE INNOVATIONS,  
INC., AND THE NATIONAL  
CONGRESS OF EMPLOYERS,  
INC.'S MOTION TO DISMISS  
COUNTS IV-X OF PLAINTIFFS'  
COMPLAINT**

**\*\*\*AND\*\*\***

**To DISMISS CLAIMS OF CHOLE  
BUTLER  
FED R. CIV. P. 12(b)(6) and Mont.  
Code Ann. 33-18-242(3)**

COME NOW Defendants Health Plan Intermediaries Holdings, LLC d/b/a Health Insurance Innovations, Health Insurance Innovations, Inc., and the National Congress of Employers, and respectfully move the Court to dismiss Counts IV-X of the Plaintiffs' Amended Complaint, and to dismiss all claims of Chole Butler, pursuant to Fed. R. Civ. P. 12(b)(6) and Mont. Code Ann. §33-18-242(3), *et seq.* Counsel for Plaintiffs has been contacted and objects to this Motion. This Motion is supported by the accompanying Memorandum of Law.

Dated: July 24, 2017.

HENNING, KEEDY & LEE, P.L.L.C.

/s/ James T. McCormack

By: James T. McCormack

HENNING, KEEDY & LEE, P.L.L.C.

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